

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HUMBERTO DIAZ and SOUAD SUE
AWADA,

Plaintiffs

V.

SWIFT TRANSPORTATION CO. OF
ARIZONA, LLC and BRAYAN
GUITERREZ,

Defendants

Case No.: 2:23-cv-00108-APG-EJY

Order Deeming Order to Show Cause Satisfied

I previously ordered the plaintiffs to show cause why this cause should not be dismissed for lack of subject matter jurisdiction because the plaintiffs based jurisdiction on diversity but failed to identify the citizenship of the members of defendant Swift Transportation Co. of America, LLC. ECF No. 6. In response to my order to show cause, the plaintiffs filed an amended complaint that attempts to address the citizenship of the defendant LLC. ECF No. 7. Given the plaintiffs' allegations do not conclusively prove diversity jurisdiction, I will deem my order satisfied, and I will not dismiss this case based on subject matter jurisdiction at this time. However, the plaintiffs remain responsible for proving that this court has subject matter jurisdiction over the case before judgment is entered.

I THEREFORE ORDER that my order to show cause (ECF No. 6) is satisfied, and I will not dismiss this case for lack of subject matter jurisdiction at this time. However, the plaintiffs remain responsible for proving subject matter jurisdiction before judgment is entered.

DATED this 22nd day of February, 2023.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE